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REMARKS

In response to the Office Action dated May 27, 2004, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Claims 1-5, 8, 10-14, and 16-20 are pending in the application. Claims 1, 13, 14, 17, and 18 have been amended, claim 16 has been cancelled without prejudice, and new claims 21-25 have been added, leaving claims 1-5, 8, 10-14 and 17-25 for consideration. No new matter has been entered.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-3, 5, 8, 10-14, 16 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,790,633 issued to Kinser et al. (hereinafter "Kinser") in view of U.S. Patent No. 6,445,774B1 issued to Kidder et al. (hereinafter "Kidder"). Claims 4, 17, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinser in view of Kidder, and further in view of U.S. Patent No. 6,353,902 to Kulatunge et al. (hereinafter "Kulatunge").

Claims 1, 13, 17, and 18 have been amended to recite proactively maintaining a telephone system local loop that includes acquiring status information, the information including at least one of engineering information, customer information, maintenance information, service information, and real-time process information. Support for this amendment can be found, for example, in paragraphs [0029] – [0033] on pages 12-13 of the specification. Claims 1, 13, 17, and 18 are not rendered obvious over Kinser, Kidder, Kulatunge or a combination of Kinser, Kidder, and Kulatunge, because none of Kinser, Kidder, and Kulatunge suggests or teaches these elements. Kinser has been relied upon by the Examiner for teaching predicting proactive maintenance based upon status information. The activities conducted by Kinser teach analyzing a telephone line via an Automatic Line Insulation Test (ALIT) performed on the line and determining whether a cable associated with the line may have a potential problem (e.g., failure,

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leakage) (col. 24, lines 29-34 and lines 49-55). The information acquired as taught by Kinser does not include engineering information, customer information, maintenance information, service information, or real-time process information as recited in Applicants' amended claims 1, 13, 17, and 18. For at least this reason, the Applicants submit that claims 1, 13, 17, and 18 are patentable over the cited references. Claims 2, 3, 5, 8, and 10-12 depend from claim 1, and claims 19 and 20 depend from claim 18. Thus, claims 2, 3, 5, 8, 10-12, 19, and 20 are believed to be allowable at least due to their dependency on claims 1 and 18.

The Applicants have submitted new claims 21-25, all of which depend from what is believed to be an allowable claim 1. For at least this reason, the Applicants submit that claims 21-25 are also in condition for allowance.


Conclusion

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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